

UNITED STATES DISTRICT COURT

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

EASTERN DISTRICT OF WASHINGTON **Oct 16, 2019**

SEAN F. McAVOY, CLERK

STATE OF WASHINGTON;  
COMMONWEALTH OF VIRGINIA;  
STATE OF COLORADO; STATE  
OF DELAWARE; STATE OF  
ILLINOIS; COMMONWEALTH OF  
MASSACHUSETTS; DANA  
NESSEL, Attorney General on behalf  
of the people of Michigan; STATE OF  
MINNESOTA; STATE OF  
NEVADA; STATE OF NEW  
JERSEY; STATE OF NEW  
MEXICO; STATE OF RHODE  
ISLAND; STATE OF MARYLAND;  
STATE IF HAWAI'I,

Plaintiffs,

v.

UNITED STATES DEPARTMENT  
OF HOMELAND SECURITY, a  
federal agency; KEVIN K.  
MCALEENAN, in his official  
capacity as Acting Secretary of the  
United States Department of  
Homeland Security; UNITED  
STATES CITIZENSHIP AND  
IMMIGRATION SERVICES, a  
federal agency; KENNETH T.  
CUCCINELLI, II, in his official  
capacity as Acting Director of United  
States Citizenship and Immigration  
Services,

Defendants.

NO: 4:19-CV-5210-RMP

NOTICE SETTING TELEPHONIC  
SCHEDULING CONFERENCE

1           **A.     Telephonic Scheduling Conference**

2           **PLEASE TAKE NOTICE** that a telephonic scheduling conference will be  
3 held on the date and time noted below. Counsel and pro se parties shall use the  
4 following information to participate in the hearing:

5                   **DATE: November 20, 2019 at 2:30 p.m.**

6                   **PHONE NUMBER: 1-888-363-4749**

7                   **ACCESS CODE: 6699898#**

8           **Speaker phones are not compatible with the Court's sound system and**  
9 **may not be used.** Please listen carefully and follow the automated instructions so  
10 that you will be added to the conference in a timely manner.

11           **B.**     The provisions of Fed. R. Civ. P. 26 apply. The parties shall confer at  
12 least **fourteen (14) days** in advance of the scheduling conference and shall be  
13 prepared to discuss at the scheduling conference the following issues:

- 14           1.     Whether service is complete and, if not, the expected date of  
15                   completion;
- 16           2.     Whether jurisdiction, venue, and standing are proper;
- 17           3.     Whether the parties consent for this matter to be tried before a  
18                   magistrate judge;
- 19           4.     The nature and basis of their claims (brief summary);
- 20           5.     A preferred trial date and estimated length of trial;
- 21           6.     Anticipated motions;
7.     Arrangement for the disclosures required under Fed. R. Civ. P.  
                     26(a)(1);

8. A proposed Discovery Plan as discussed in Fed. R. Civ. P. 26(f).<sup>1</sup>  
This plan shall include the disclosures required under Rule 26(a)(1)  
and shall also include a time and platform agreed upon for the exchange  
of e-discovery, if any;
9. Whether class certification is alleged. The parties shall include a  
suggested cut-off date as outlined in Local Rule 23.1;
10. Whether the case involves a beneficial interest claim of a minor  
or incompetent that requires appointment of a Guardian ad litem;
11. The appropriateness of special procedures such as consolidation  
of actions for discovery or pretrial, reference to a master or  
magistrate, to arbitration, to the Judicial Panel on Multi-district  
Litigation, or application of the procedures included in the  
Manual for Complex Litigation;
12. Modification of the standard procedures due to the relative  
simplicity or complexity of the action or proceeding;
13. Feasibility of bifurcation, or otherwise structuring sequence of  
the trial;

---

<sup>1</sup> The parties are encouraged to use the following link for arriving at interim deadlines by inserting a proposed trial date: <http://www.waed.uscourts.gov/civil-trial-dates>.

1           14. Whether there will be a point in the litigation when the parties  
2           can conduct meaningful settlement discussions or participation in  
3           another form of alternative dispute resolution;

4           15. Identification of any issues that should be certified to the state  
5           Supreme Court; and

6           16. Any other matters which may be conducive to the just, efficient,  
7           and economical determination of the action or proceeding,  
8           including the definition or limitation of issues.

9           **C. On or before November 13, 2019, the parties shall file the following:**

10           1. **Consent Form:** The parties shall complete the attached [Consent](#)  
11 [Form](#) and return it to the Clerk of the Court, as instructed, advising whether  
12 the parties consent to this case being tried by a United States Magistrate  
13 Judge. See 28 U.S.C. § 636 as amended;

14           2. **Statement Identifying Corporate Information:** Any non-  
15 governmental corporate party to this action shall file a statement identifying  
16 all its parent corporations and listing any publicly held company that owns  
17 10% or more of the party's stock. Counsel have an ongoing responsibility to  
18 supplement this information;

19 ///

20 ///

21 ///

///

1           3.     **Joint Status Report (Fed. R. Civ. P. 26(f)):** The parties shall  
2     file a Joint Status Report (or separate reports if necessary), reflecting the  
3     results of their conference and the parties' position with respect to **each**  
4     **subject outlined in section B** of this Notice.

5     Counsel are expected to comply with the spirit of Rule 26 and seek to  
6     minimize the time and expense of discovery.

7     **DATED** October 16, 2019.

8  
9                     SEAN F. McAVOY  
DISTRICT COURT CLERK

10                    *s/Michelle M. Fox*  
11                    MICHELLE M. FOX  
Deputy Clerk